

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RODNEY JAMAAR SMITH,

Plaintiff,

v.

INSURER OF CDC, *et al.*,

Defendants.

Case No. 1:20-cv-01196-DAD-BAM (PC)

ORDER DENYING MOTION TO AMEND
COMPLAINT AS MOOT

(ECF No. 7)

ORDER DIRECTING CLERK OF COURT TO
DOCKET PLAINTIFF'S FIRST AMENDED
COMPLAINT

Plaintiff Rodney Jamaar Smith ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on August 25, 2020. (ECF No. 1.)

On August 28, 2020, the Court screened Plaintiff's complaint and granted Plaintiff leave to file a first amended complaint within thirty (30) days. (ECF No. 6.)

Currently before the Court is Plaintiff's motion to amend the complaint for screening order requirements, filed September 8, 2020. (ECF No. 7.) Although titled as a motion to amend, the filing appears to be Plaintiff's first amended complaint. (*Id.*) As Plaintiff has already been granted leave to amend by the Court's August 28, 2020 screening order, Plaintiff's motion to amend is unnecessary. The motion is therefore denied as moot. Plaintiff's first amended complaint will be screened in due course.

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Accordingly, IT IS HEREBY ORDERED as follows:

1. Plaintiff's motion to amend, (ECF No. 7), is DENIED as moot; and
2. The Clerk of the Court is directed to docket Plaintiff's September 8, 2020 filing, (ECF No. 7), as the first amended complaint.

IT IS SO ORDERED.

Dated: September 10, 2020

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE